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UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

ASHLEY WINN,

CASE NO. : 2:22-cv-01441-JCM-BNW

Plaintiff,

**STIPULATION AND ORDER TO EXTEND
 DISCOVERY DEADLINES**

vs.

[FOURTH REQUEST]

SHELTER MUTUAL INSURANCE COMPANY;
 STATE FARM MUTUAL AUTOMOBILE
 INSURANCE COMPANY; and DOES I through
 X, and ROE CORPORATIONS I through X,
 inclusive,

Defendants.

Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of record, hereby stipulate and request that this Court extend discovery in the above-captioned case by sixty (60) days, up to and including Friday, May 10, 2024. In addition, the parties request that all other future deadlines contemplated by the Discovery Plan and Scheduling Order be extended pursuant to Local Rule. In support of this Stipulation and Request, the parties state as follows:

DISCOVERY COMPLETED

1. On November 16, 2022, the parties conducted an initial FRCP 26(f) conference.
2. On February 24, 2023, Plaintiff served written discovery on Defendant State Farm. State Farm served its Responses on April 13, 2023.
3. On February 24, 2023, Plaintiff served her FRCP 26 Initial Disclosures.

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4. On January 23, 2023, Defendant State Farm served its FRCP 26 Initial Disclosures.
5. On March 2, 2023, Defendant Shelter served its FRCP 26 Initial Disclosures.
6. On March 2, 2023, Plaintiff Ashley Winn filed her FRCP 26.1 Initial Disclosures.
7. On April 12, 2023 Defendant Shelter served their responses to Plaintiff Winn's First Requests for Production.
8. On April 13, 2023, Defendant State Farm filed their Responses to Plaintiff Winn's First Requests for Production.
9. On May 1, 2023, Plaintiff Ashley Winn filed her answers to Defendant State Farm's 1st Set of Interrogatories, and Defendant State Farm's 1st set of Request for Production.
10. On May 17, 2023, Plaintiff Ashley Winn filed her Supplemental Answers to Defendant State Farm's 1st Set of Interrogatories, and Supplemental Responses to Defendant State Farm's 1st set of Request for Production.
11. On July 5, 2023, Defendant Shelter Mutual Insurance Company filed their 1st set of Interrogatories and Requests for Production to Plaintiff Ashley Winn.
12. On September 14, 2023, Plaintiff Ashley Winn filed her responses to Defendant Shelter Insurance's First Set of Interrogatories and Shelter Insurance's 1st Set of Requests for Production.
13. On October 12, 2023, Defendant Shelter Mutual Insurance Company filed their First Supplemental Disclosures Pursuant to FRCP 26(a)(1).
14. On October 13, 2023, the deposition of Plaintiff Ashley Winn took place.
15. On October 23, 2023, Defendant State Farm served their FRCP 26 First Supplemental List of Witnesses and Documents.

16. On October 31, 2023, Plaintiff served her First Supplement to FRCP 26 Production.

DISCOVERY REMAINING

1. Plaintiff is in the process of scheduling the depositions of two (2) former claims representatives of Defendant Shelter Mutual Insurance Company.
2. Plaintiff and/or Defendant Shelter will seek to depose State Farm representatives.
3. Expert disclosures and depositions.
4. Rebuttal disclosures and depositions.
5. Further, other appropriate discovery may also need to be conducted, including additional written discovery and/or depositions of percipient witnesses.
6. Any and all discovery required as permitted by the Federal Rules of Civil Procedure.

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

The parties aver, pursuant to Local Rule 26-3, that good cause exists for the following requested extension. This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, the parties seek this extension solely for the purpose of allowing sufficient time to conduct discovery.

The parties have been diligent in moving the case forward: participating in a reasonable amount of discovery, including exchanging their initial lists of witnesses and documents; propounding written discovery requests and preparing responses thereto; records procurement; and preparing for and conducting Plaintiff's deposition.

Plaintiff in this case is incarcerated at Jean Conservation Camp and the parties were only able to depose her on October 13, 2023, after prolonged efforts to coordinate and schedule said deposition.

On November 20, 2023, Plaintiff's counsel sought dates for the depositions of two (2) former Shelter employees. The undersigned counsel advised that they were former employees and that he would attempt to locate them and coordinate dates. The undersigned counsel also advised that he would be starting trial beginning December 6, 2023 and continuing through December 15, 2023, and would be unavailable until sometime after trial concluded. Plaintiff's counsel proposed December 19 and December 20, 2023 for the former Shelter employee depositions. However, this would not give sufficient time to prepare and possibly travel for these depositions after the end of trial. In an effort to accommodate all counsel and parties, all parties have agreed to extend the deadlines another 60 days so that depositions can be conducted in the proper sequence and consistent with the availability of the multiple counsel in the case. In addition, the current deadline for expert disclosures is January 11, 2023, and the various claims handling experts would require these depositions, among other State Farm and Shelter representatives and 30(b)(6) witnesses. The current discovery schedule does not allow for this to take place.

Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3 governs modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty one (21) days before the expiration of the subject deadline and must comply fully with LR 26-3. This stipulation is made more than 21 days before the expiration of any deadlines.

This is the fourth request for extension of time in this matter. The parties respectfully submit that the reasons set forth above constitute compelling reasons for the short extension. The deadline to amend pleadings has passed and the parties are not requesting that deadline be reopened.

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PROPOSED SCHEDULE FOR COMPLETING REMAINING DISCOVERY

The parties propose the following extension of the current Scheduling Order Deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>Monday, March 11, 2024</i>	<i>Friday, May 10, 2024</i>
Expert Disclosure pursuant to FRCP 26 (a)(2)	<i>Thursday, January 11, 2024</i>	<i>Monday, March 11, 2024</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>Monday, February 12, 2024</i>	<i>Wednesday, April 10, 2024</i>
Dispositive Motions	<i>Wednesday, April 10, 2024</i>	<i>Monday, June 10, 2024</i>
Joint Pretrial Order	<i>Friday, May 10, 2024</i>	<i>Wednesday, July 10, 2024</i> <i>If dispositive motions are pending, then the parties will serve their Joint Pretrial Order within thirty days of the Court's order as to the parties' dispositive motions.</i>

WHEREFORE, the parties respectfully request that this Court extend the discovery period by sixty (60) days from the current deadline of Wednesday, January 10, 2024, up to and including Friday, May 10, 2024, and the other dates as outlined in accordance with the table above.

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TRIAL DATE

This enlargement of time does not have any effect on trial or calendar call times.

Dated this 8th day of December, 2023.

Dated this 8th day of December, 2023.

KEATING LAW GROUP**VANNAH & VANNAH**

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and

Dated this 8th day of December, 2023.

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ORDER

IT IS SO ORDERED.

Dated this 11 day of December, 2023.


UNITED STATES MAGISTRATE JUDGE